

PURPOSE AND NEED
<i>Desired And Existing Conditions</i>
<p><b>SUMMARY COMMENT:</b> The document is also unclear as to the purpose and need for the proposed action. In this instance, the DEIS defines the problem by referring to the difference between existing and desired conditions without making a case for why such an abrupt change in current management is necessary or warranted.</p>
<p><b>SUMMARY RESPONSE:</b> In the DEIS it is explained that the need for change is represented by a gap between existing and desired conditions. The discussion of issues that accrue to winter use also illustrates that change may be needed, and the analysis of effects in the document shows indirectly the extent to which change may be necessary. The comment refers to the Park Service's "abrupt change" in management; NPS is unsure what is meant by abrupt, since various alternatives would not change management in some areas either significantly or abruptly. The abrupt need to write an EIS is necessary because of concerns about not meeting legal requirements, and because of a court order requiring it.</p>
<p><b>COMMENT:</b> In the Desired Condition section of the DEIS, the NPS spends an inordinate amount of time discussing the visitor and visitor needs. Remember that the visitor is important in that they do not adversely impact sensitive natural resources, air quality, wildlife, cultural areas, or the experiences of other park visitors. This must be made the driving mandate of this planning process. Are "enhanced visitor experiences" attainable when in violation of the above mandate? The preferred alternative does not call for an actual reduction of impacts but simply some mitigation on the increase in use and problems. Little attempt is made to achieve a desired condition other than via lip service.</p>
<p><b>RESPONSE:</b> The fact that the bottom line in management of national parks is preservation of resources does not diminish to nothing the importance of visitors and visitor experience. The point of expressing desired conditions as in the DEIS is to indicate there is a relationship between people and the parks, and that the former must be accommodated to the extent that it is consistent with park preservation.</p>
<p><b>COMMENT:</b> A summary statements of desired condition says (v)isitors know how to participate safely in winter use activities without damaging resources. The DEIS completely ignores how to meet this in reality. Another: "(s)nowmobile sound and emission levels are reduced to protect employee and public health and safety, enhance visitor experience, and protection of natural resources." How can this be accomplished if no efforts to restrict or reduce the tremendous growth we have seen in snowmobile use in the parks? Elimination of individual vehicles would accomplish it better than any other method beyond doubt.</p>
<p><b>RESPONSE:</b> Among the six alternatives to current management (which reflects the existing condition), alternative features are shown to have beneficial effects on public safety, visitor experience, and resource protection at current use levels. Alternative G eliminates snowmobiles. On page 25 of the DEIS, it is indicated that determining a carrying capacity is a feature of all alternatives. The FEIS provides mitigation in some alternatives that would limit use until carrying capacity is determined.</p>
<p><b>COMMENT:</b> We recommend that NPS replace the words "Snowmobile emissions" with "Over-snow vehicle emissions." Emissions are not just from snowmobiles, and eliminating snowmobile emissions may not entirely solve air quality concerns. For example, emissions also can be reduced by changing the engines in pre-1971 vintage snowcoaches (that produce about 1,000 grams CO per mile) with newer engine technology having emissions controls when engines are replaced every 2 to 5 years. Page 27 has the proper reference. We also recommend NPS replace the word "noise" with "sound".</p>

PURPOSE AND NEED	
<b>RESPONSE:</b>	NPS agrees on the recommended emissions language. In respect to “sound”: for many people, issues related to snowmobile use include “noise”, which is unwanted sound. Beyond the context of “noise” as an issue, NPS intends to use the word “sound.”
<b>COMMENT:</b>	Table 2, Management Prescription Zones, -Resource Condition or Character: The terms "good to excellent air quality" are not defined. It would be more appropriate to speak in terms of air quality degradation resulting from the Management Prescription compared to the current condition. We would recommend changing "good to excellent air quality" to "Reduced air quality degradation" or "improved air quality" for zones 2-7, "No impact on Air Quality" for zones 8-11 to the "maximum allowed by law (approaching exceeding the NAAQS) for zone 1."
<b>RESPONSE:</b>	NPS will continue to use the semantics presented in the DEIS. It is appropriate to describe the objective for resource condition, by management zone, as “good to excellent.” The objective for describing air quality should not be stated as "reduced air quality degradation" or “improved air quality.” Relative to the existing condition, that is what will need to happen in some areas where air quality is not good in order to meet the objective.
<b>COMMENT:</b>	Table 2, Visitor Experience, Zone 2 Plowed Road: If snowmobiles were replaced with busses and automotive traffic, the vehicle exhaust might not "provide a sense of being in a natural park environment." For this zone, many of the visitors would travel by shuttle or personal vehicle, while others would travel by snowshoe and ski. The dispersion of emissions is typically worse in winter than in summer. Persons exposed to trapped levels of exhaust in and around roadways might not have the experience the sense of being in a natural park environment. Complaints of soot and odor from tourist busses and Park Service maintenance equipment have occurred in the past, and need to be considered in any alternatives.
<b>RESPONSE:</b>	NPS asserts that to “provide a sense of being in a natural park environment” is a worthy objective for a national park, whether one is on a road or on a trail, summer or winter. Certainly the presence of traffic can detract from that sense. Management practices will need to be applied along plowed roads, snow roads or other areas where human motorized travel occurs in order to meet that objective.
<b>COMMENT:</b>	Within Chapter 1, the DEIS discusses "differences between desired conditions and existing conditions". How do the comments on Desired Conditions (pages 3 & 4) correlate to the lack of support for the preferred alternative and the statement that there is a consistent picture of very low support among current winter visitors to the GYA for the management change contained in alternative B" (page 200)?
<b>RESPONSE:</b>	Alternative B is one of six alternatives to current management (existing condition) that are proposed as ways of moving toward the desired condition. Looking at the overall effects of alternative B, one can see that some conditions would be improved over time, notably in air quality, safety, public health, and sound emissions. This fact does not relate to the preferences expressed by current visitors, who either disagree with the approach or discount its benefits.
<b>SUMMARY COMMENT:</b>	The difference between desired and existing condition establishes the purpose and need for action. The description of the existing condition would have been more useful if it had been presented as direct and specific comparisons with each of the elements in the desired condition. As presented, there is no clear indication for what the specific problems are (i.e. The purpose and need for this DEIS) or what needs to occur to resolve the differences.

<b>PURPOSE AND NEED</b>	
<b>SUMMARY RESPONSE:</b>	The Purpose and Need section was rewritten for the FEIS to clarify the need for action as it relates to issues derived from scoping, the decision to be made, and the scope of analysis. Existing conditions were rewritten to be more descriptive. Although there is not a one-to-one correspondence between existing and desired conditions, the reader should now be able to relate and compare them as a whole.
<b>COMMENT:</b>	The statement (page 4, visitor issues) suggests that the present levels or kinds of winter use exceed the capacity to provide the quality of visitor experiences and adequate protection of park resources. But the DEIS does not further address the carrying capacity issue.
<b>RESPONSE:</b>	On page 25 of the DEIS, it is indicated that determining a carrying capacity is a feature of all alternatives.
<b>COMMENT:</b>	Although as stated here that "economic development interests in communities expect support from land management agencies," these agencies, and especially the NPS, are not obligated to support such development interests.
<b>RESPONSE:</b>	NPS has made no statement regarding any such obligation.
<b>COMMENT:</b>	Page 4, Existing Conditions: The discussion on Existing Conditions contains many statements which are beliefs. This should be more clearly explained to the reader or changed to be qualitative. For instance, under Visitor Issues, is the conflict between user groups or individuals a real conflict or is it perceived by some? Also, under Resources, do "many people" expressing concern mean the problem exists? These concerns may or may not be valid.
<b>RESPONSE:</b>	The existing condition section is being rewritten for the FEIS. The new section makes statements that cannot be interpreted as beliefs. Supporting information for these statements is found in the affected environment section, by impact topic, and in the effects analysis for alternative A (no-action – current management).
<i>NPS Mandate</i>	
<b>COMMENT:</b>	We would like to see the Purpose and Need section address society's growing need for a diversity of recreation, what recreation means to all of us, the need to maintain existing motorized recreational opportunities and the need to create new opportunities for snowmobilers.
<b>RESPONSE:</b>	To express this in the purpose and need would be to suggest that society's needs hinge upon or can be met by management within these three park units. Society's needs are far larger, so this would be outside the scope of the decision to be made. NPS notes that the purpose and need section does address recreation opportunities and experiences to be provided at a quality level – and consistent with park resource preservation.
<b>COMMENT:</b>	Viable alternatives and means to provide long-term benefits and improvements to public health and safety as well as that of the park units wildlife and natural resources should be of the utmost concern.
<b>RESPONSE:</b>	NPS asserts that alternatives and alternative features applying to various zones in the parks are viable in meeting these needs. Certainly there is some variation among the alternatives in the degree to which various conditions are addressed and benefits realized.

<b>PURPOSE AND NEED</b>	
<b>COMMENT:</b>	If the issues and concerns, or the emphasis placed on these topics, are not consistent with federal law and NPS regulations and policies, then either the topics or the emphasis must be changed.
<b>RESPONSE:</b>	The purpose and need for action which defines the scope of analysis is consistent with laws, regulations and policies. The major issues were determined in part by ensuring that they fell within the scope of analysis. The emphasis placed on topics that are analyzed is a function of the type of impact presented by the proposed actions and the susceptibility of the resource to it. Some sections in Chapter I of the DEIS have been rewritten to clarify the NEPA process in this regard. Additional explanation is also provided in the FEIS to better explain the scope of analysis.
<b>COMMENT:</b>	Though the winter use management concepts were evaluated in terms of the decision to be made, nowhere in the Draft EIS does the NPS define what that decision is.
<b>RESPONSE:</b>	A section has been added in the FEIS to explain the decision to be made.
<b>COMMENT:</b>	The NPS must disclose the origins of these desired future conditions and must reevaluate them in regards to those types of winter recreation opportunities which can be permitted and which are consistent with legal standards.
<b>RESPONSE:</b>	The DEIS explains the source of the desired conditions to be derived from laws, regulations, executive orders and governing policies. As an aside, they are also strongly related to the 1990 winter use plan and to the widely publicized Multi-Agency Winter Visitor Use Assessment. This assessment highlighted the same issues and concerns that are reflected in the statements of existing condition.
<b>SUMMARY COMMENT:</b>	Many commenters restated in their own terms the purpose and need for action expressed in the DEIS, or described their concept of the park mandate. Winter recreation in the GYE is growing by leaps and bounds with often-times deleterious impacts on both the environment and the winter recreational experience. Visitors and residents alike are complaining about overcrowding, conflicts between use groups, safety, resource damage and trespassing as growing problems associated with winter activities. We need to restore balance to the winter use of our National Parks.
<b>SUMMARY RESPONSE:</b>	The purpose and need for action is explained in the DEIS.
<b>COMMENT:</b>	The DEIS does not adequately describe the current winter use relationship between the greater Yellowstone area (GYA) and the parks. Furthermore, the lack of a clear management relationship between these land segments does not allow for the formulation of mitigative strategies for outcomes outside the parks produced by those alternatives A through G listed in the draft EIS. The proposed alternatives in the DEIS may have an adverse effect on those strategies and desired outcomes developed in the Greater Yellowstone Coordinating Council's (GYCC) "Winter Visitor Use Management" document. This land relationship is missing in the DEIS.

PURPOSE AND NEED
<p><b>RESPONSE:</b> The DEIS builds on and cites material in the GYCC multi-agency assessment. The description of impacts on adjacent national forest lands in the DEIS describes the relationship sufficiently. NPS has fully incorporated input from the Forest Service, and is open to any mitigative strategies that FS might propose. To date, no definitive strategies have been advanced other than the suggestion that NPS not make a decision that might displace snowmobile use to adjacent lands. This would mean that NPS cannot address any of the elements in the purpose and need for action, limiting its choices to the status quo.</p>
<p><b>COMMENT:</b> It should be within the scope of this EIS to consider the parks' infrastructure needs. The NPS and Congress have failed to adequately meet facility maintenance needs over the past several decades. The EIS should consider limitations on the parks' infrastructure. This is a programmatic EIS, and therefore appropriate to consider such issues.</p>
<p><b>RESPONSE:</b> This is a programmatic EIS for winter use, not for park management in general. If NPS had elected to prepare a general management plan instead of a winter use plan, it would have been appropriate to consider the issue of facilities management. The decision as to scope of analysis is within the discretion of NPS, constrained only by the terms of the 1997 settlement agreement.</p>
<p><b>SUMMARY COMMENT:</b> NPS has failed to comply with its own statutory mandate by failing to provide a sensible, scientifically credible, and comprehensive alternative to ban snowmobiling and trail grooming in the parks border to protect and preserve the parks in an unimpaired condition for future generations. NPS inexplicably presumes that winter motorized use must continue.</p>
<p><b>SUMMARY RESPONSE:</b> In order to evaluate the effects of winter recreation use and find the appropriate mix within the mandated constraints, alternatives must be proposed with varying types and levels of use. Reasonable alternatives were evaluated in the DEIS to meet this need. NPS decided it was not consistent with its mandate to consider an alternative that effectively and completely closes the parks in winter, just as it was deemed appropriate not to consider increased use. Intense scrutiny of the issue shows that scientists <i>are not</i> in agreement about the impacts of groomed surfaces, per se. EPA noted, in its NEPA review role, that there is an adequate range of alternatives in this document.</p>
<p><b>SUMMARY COMMENT:</b> Many commenters believe that accessing the parks in the winter via snowmobile is a right. E.g. Changes in management such as closure to snowmobiles to "emphasize the protection of wildlife resources" and to "address concerns about the use of groomed roads by wildlife" fly in the face of the park's mandate to be "set apart as a public park or pleasuring ground for the benefit and enjoyment of the people". Yellowstone is a national park; it is not a national wildlife refuge. While natural resources, including wildlife, must be balanced in park management, the bottom line is that people have a right to expect access to their public park rather than being locked out of over one-third of it for 6 months of the year.</p>
<p><b>SUMMARY RESPONSE:</b> The mandate is to allow recreation use that is consistent with the necessary protection and preservation of park resources. Uses are to be balanced <i>within</i> the overall preservation constraint. This theme is presented throughout the mandate discussion in the DEIS and the FEIS. If a use is demonstrated to affect resources in a way that is contrary to laws, executive orders, or regulations, the park service must act to address the impact.</p>
<p><b>COMMENT:</b> A related issue in the document deals with the proposal for plowing the roads. We strongly urge the National Park Service to remove this concept from the document. Once again, consideration of this idea seems to boldly contradict the role of the agency as a resource manager.</p>

PURPOSE AND NEED
<p><b>RESPONSE:</b> In order to evaluate the effects of winter recreation use and find the appropriate mix within the mandated constraints, alternatives must be proposed as ways to address the purpose and need issues. Reasonable alternatives were evaluated in the DEIS to meet this need. Plowing the road will remain as a choice for the decision maker, but as shown in the DEIS this action would not be without its own impacts.</p>
<p><b>SUMMARY COMMENT:</b> Many commenters expressed their opinion about park service mandates, including laws, regulations, executive orders and policies, as a basis for stating what the park service MUST do. E.g. NPS regulations specify that snowmobiling can only be permitted where it will not "disturb wildlife or damage park resources." Now is the time for the National Park Service to live up to these obligations and fully protect this country's premier wildlife Parks. Prohibiting snowmobiles and trail grooming would be consistent with the long-standing mission of the Park Service, recent initiatives of this Administration and the will of the American people.</p>
<p><b>SUMMARY RESPONSE:</b> In effect, these comments are addressing the decision that is yet to be made. In accordance with CEQ regulations (NEPA), a range of alternatives must be considered before making the decision. The EIS presents an adequate range of alternatives (and alternative features) that deal with specific winter recreation issues. Analysis of the beneficial or adverse effects of the alternatives, compared to the mandates for park management, will guide the decision maker. A discussion of the decision to be made has been added in the FEIS to clarify the decision making process.</p>
<p><b>SUMMARY COMMENT:</b> The purpose of the National Park system is to protect our national treasures over the long term. It is not the purpose of the park system to provide economic opportunities to the surrounding communities.</p>
<p><b>SUMMARY RESPONSE:</b> The park service mission is to protect park resources and values for enjoyment by future generations. All the mandates discussed briefly in Chapter I of the DEIS and FEIS amplify on this governing statement. National Parks are public lands – implicit in the mission is that these lands can be enjoyed by the public to the extent that is consistent with resource protection. Economic opportunities are allowable in this context.</p>
<p><b>SUMMARY COMMENT:</b> The NPS helped create a healthy, viable snowmobile industry in West Yellowstone and cannot arbitrarily eliminate that use now. NPS is obligated to support economies of dependent local communities.</p>
<p><b>SUMMARY RESPONSE:</b> The park service mission is to protect park resources and values for enjoyment by future generations. All the mandates discussed briefly in Chapter I of the DEIS and FEIS amplify on this governing statement. National Parks are public lands – implicit in the mission is that these lands can be enjoyed by the public to the extent that is consistent with resource protection. Economic opportunities are allowable in this context, but NPS is not obligated under its mandate to provide them.</p>
<p><b>COMMENT:</b> The proposed shuttle bus service would require a certain amount of subsidy from taxpayers, which is inconsistent with recently stated NPS intention to make park visitation more self supporting by increasing fees.</p>
<p><b>RESPONSE:</b> It would be in the purview of the decision to be made to consider the pros and cons of various alternatives considered, and determine which one best meets the purpose and need for action.</p>

PURPOSE AND NEED	
<b>COMMENT:</b>	There is no need for motorized "trails" groomed or otherwise. These "zones are common on GYA public lands surrounding YNP and GTNP, and the Park Service is under no mandate to provide these prescriptions.
<b>RESPONSE:</b>	The park service mission is to protect park resources and values for enjoyment by future generations. All the mandates discussed briefly in Chapter I of the DEIS and FEIS amplify on this governing statement. National Parks are public lands – implicit in the mission is that these lands can be enjoyed by the public to the extent that is consistent with resource protection.
<b>SUMMARY COMMENT:</b>	Some commenters believe that the multiple use concept applies to national parks. E.g. Some motorized noise, such as airplanes, exists even in the most remote areas and it is not reasonable to expect absolute quiet in areas intended for multiple-use by the public (roadways of the Park). Present winter use plan is abusing multiple use concept. Public land should be for the public, multi-use.
<b>SUMMARY RESPONSE:</b>	Please see the previous response. Multiple use is not strictly applicable to national parks as it is on other public land jurisdictions.
<b>COMMENT:</b>	Any Winter Use Plan for either the BLM or the National Forests should comply with Federal Multiple Use Laws. It should not be implied or redefined that these entities are under any of the National Parks control, multi-agency committee guidelines, or property missions.
<b>RESPONSE:</b>	NPS has not so implied.
<i>Legal Framework</i>	
<b>COMMENT:</b>	...the EIS must contain a comprehensive analysis of its statutory and regulatory mandates and how these mandates apply to snowmobile use. Specifically, is snowmobiling, as we know it today, even authorized under the legislation establishing Yellowstone National Park?
<b>RESPONSE:</b>	There is no requirement for NPS to analyze its mandates. The purpose and need for action is structured on needs identified as a result of current conditions compared to laws, regulations, executive orders and other policy direction. Sufficient information is provided in the DEIS, and amplified in the FEIS relative to the legal framework for the decision to be made.
<b>COMMENT:</b>	Laws such as the Organic Act, the Endangered Species Act, and the Clean Air Act, as well as court cases (i.e. SUWA vs. Dabney) and executive orders 11644 and 11989, direct the NPS to prohibit any recreational activity that causes lasting damage to park resources and wildlife.
<b>RESPONSE:</b>	The legal framework for the EIS analysis and the decision to be made is presented in Chapter I of the DEIS, and amplified in the FEIS.
<b>SUMMARY COMMENT:</b>	The Park Service is in violation of its mandates under the Organic Act, the Endangered Species Act, the Clean Air Act, Clean Water Act, et al., in its preferred alternative, or any alternative that allows snowmobile use.

PURPOSE AND NEED
<p><b>SUMMARY RESPONSE:</b> None of these laws explicitly prohibit snowmobile use in the parks. The purpose of the EIS is to disclose the environmental effects of a proposed action and alternatives to it. The EIS is the vehicle by which any disclosure of impacts relating to laws, such as those listed in many comments, is made. The decision to be made will present findings as to legal violations on the basis of the impacts analysis and disclosure. Until the analysis is complete and a decision is made, it is premature to state that violations of law are occurring.</p>
<p><b>COMMENT:</b> The legislation of 1916 and the Historic Sites Act of 1935 mandate NPS to preserve cultural and natural resources. Upon on (sic) my review [of these laws], I did not locate a section on preserving human access rights, nor the economies of adjoining cities.</p>
<p><b>RESPONSE:</b> NPS does not claim otherwise. However, it is reasonable to assume that the mandate to “provide for the enjoyment of resources” relates to access and use of park lands for recreational purposes. NPS must act assertively to preserve resources for enjoyment by future generations, when it is demonstrated that current uses and impacts might violate that mandate.</p>
<p><b>SUMMARY COMMENT:</b> The “Citizens’ Solution” follows the intent of the Organic Act as well as the enabling legislation of both Parks. In addition, it adheres to the objectives of EO 11989 covering the use of ORVs on public lands.</p>
<p><b>SUMMARY RESPONSE:</b> The Citizens’ Solution resembles DEIS alternative G. All the DEIS alternatives, excluding no-action (alternative A) respond to one or more issues relating to NPS mandates.</p>
<p><b>COMMENT:</b> Under the Clean Air Act, Organic Act and NPS Management Policy, the excessive pollution of two-stroke engines is clearly prohibited. Fortunately, the parks have a four-stroke mode of access available and in place in the parks: snowcoaches.</p>
<p><b>RESPONSE:</b> Several DEIS alternatives lead to the use of improved motorized technologies in the three park units.</p>
<p><b>SUMMARY COMMENT:</b> Many people interpret the benefit language to mean that it is part of the NPS mission to provide economic opportunity, personal motorized access, and recreation so long as those opportunities do not pose long-term detrimental impacts on the park resources.</p>
<p><b>SUMMARY RESPONSE:</b> It is not strictly a part of the NPS mission to provide economic opportunity or personal motorized access. NPS asserts that there is nothing adverse to the mission in providing these things, as the commenters state, if they do not derogate park resources and values for enjoyment by future generations. This EIS and the decision to be made will determine, based on available information, what level of access for winter recreation can be allowed while assuring the preservation of park resources.</p>
<p><b>COMMENT:</b> Contrary to the Park Service’s assertions, there is no dual or conflicting mandate in management of national parks. The principle mission of the NPS, as dictated by Congress over 80 years ago, is to preserve nature as it exists.</p>



<b>PURPOSE AND NEED</b>	
<b>RESPONSE:</b>	This comment oversimplifies the issues at hand. If evidence exists that shows park values being impaired for future generations, NPS must act to eliminate the source of impairment. In the absence of such evidence, recreation use and enjoyment of the resources is allowed or even required under the mandate. There is tension between preservation and enjoyment, which is the point of expressing the duality of the mandate.
<b>COMMENT:</b>	It should be noted that legislation establishing YNP, GTNP, or JDRMP did not explicitly or implicitly mandate that snowmobiling be permitted in the parks, nor did they suggest that the public must be afforded access to the Parks, by any means, during the winter season.
<b>RESPONSE:</b>	Legislation establishing the three park units did not explicitly mandate a great number of management practices, recreation uses or facilities that are commonly found in parks during any season of use. This logic should not be used to explicitly deny any such use, in the absence of an appropriate finding.
<b>SUMMARY COMMENT:</b>	Snowmobiling and trail grooming clearly violate these legal standards [Organic Act] by continue to be permitted in the Parks because of political and local pressures.
<b>SUMMARY RESPONSE:</b>	The Organic Act does not explicitly prohibit snowmobile use. Snowmobile use evolved over time, as management in the park units found it to be allowable in respect to concurrent policies. The role of political and local pressure in this is moot. Park managers heretofore did not feel that long term impacts resulted from use of snowmobiles. The increase in use and the concentration of large numbers of machines clearly requires the comprehensive analysis which is the subject of this EIS.
<b>COMMENT:</b>	Use of national parks and recreational areas is no one's right. It is a privilege which is granted to use by the government, whose responsibility it is to keep safe the plants and animals of the park they promised to protect by the act of generating the park itself.
<b>RESPONSE:</b>	National Parks are public lands. The public has a right to appreciate and enjoy them in a manner that is consistent with preservation of park resources and values.
<b>SUMMARY COMMENT:</b>	The NPS is mandated by the Park Service's Organic Act and the General Authorities Act "to protect park resources and provide for the enjoyment of those resources in a manner that leaves them unimpaired for future generations." Without knowing the carrying capacity of these parks, the NPS can not claim to be meeting the intent of these Acts.
<b>SUMMARY RESPONSE:</b>	NPS does not agree that the one follows the other. Increasing use by snowmobiles, and resource issues that surround increasing use, makes it necessary to evaluate impacts of that use. On this basis, a winter plan can be developed to provide a range of visitor experiences without having determined a carrying capacity. As stated in the DEIS, it will be a part of any winter plan resulting from this EIS to initiate a program for determining carrying capacity. The FEIS describes in general what a recreation carrying capacity is, and the difficulties in arriving at one.
<b>COMMENT:</b>	Prohibiting snowmobiles would be consistent with the longstanding mission of the Park Service, recent initiatives of this Administration, and the will of the American people.

<b>PURPOSE AND NEED</b>	
<b>RESPONSE:</b>	The actual prohibition of snowmobiles from the three park units, or not, is subject to the decision to be made. The decision will be based on consideration of all alternatives evaluated in the FEIS and the impacts associated with them, relative to the purpose and need for action. Alternative G in the FEIS (and the DEIS) would eliminate snowmobiles from the three parks.
<b>COMMENT:</b>	I urge that the National Park Service give full consideration to a winter use plan that would prohibit snowmobiles, snowcoaches, and trail grooming. Failure to do so violates the National Environmental Policy Act.
<b>RESPONSE:</b>	All alternatives evaluated in the FEIS must be considered by the decision maker prior to making the decision. One alternative would eliminate snowmobiles. NPS is not considering the total elimination of winter motorized access. The range of alternatives considered is adequate under the National Environmental Policy Act regulations. The selection of any of the alternatives considered would not violate NEPA.
<b>COMMENT:</b>	NEPA provisions regarding cooperating agencies are clear: cooperators are those agencies that have jurisdiction by law or special expertise, and are intended to assist the lead agency in analyzing impacts and providing data. Decision-making authority is retained by the lead federal agency, in this case, the National Park Service. From the very beginning, local and state cooperators attempted to assert themselves as decision makers in this EIS process. We repeatedly raised concerns about the inconsistent and inappropriate role of the cooperators. We also vehemently object to a provision in the MOUs prohibiting the release of working documents outside a Freedom of Information request or similar state process. State and local cooperators are all participating as elected representatives. All documents available to the cooperators should and must be made available to the public. The cooperating agencies do not have an accurate understanding of cooperating agency status. The NPS did not clearly establish and follow the conditions under which cooperating agency involvement can occur. Far from improving the efficiency of the process and maximizing coordination and cooperation, this NEPA process has become contentious, exclusionary, and biased toward special interests (the local business communities) because of the local and state cooperating agency involvement. If this precedent-setting arrangement is to continue effectively, efficiently and within the bounds of current statutes and regulations, the NPS must indicate clearly and concisely what those conditions are. The NPS must make it clear that it will solely retain decision-making authority in this winter use planning effort.
<b>RESPONSE:</b>	NPS clearly established the conditions and roles of both the lead (NPS) and cooperating agencies in the MOUs. How well the agreements were followed is subject to much debate, as is the effectiveness of the cooperative process overall. NPS asserts that the provision for not releasing working documents is fully justified in the context of NEPA. No agency that is performing a NEPA analysis is required to release incomplete draft NEPA documents or associated working papers. An agency is required only to publish a draft EIS at some point prior to producing a final EIS and decision. Any agency that may be part of a NEPA process as a cooperator or co-lead agency is similarly constrained.
<b>SUMMARY COMMENT:</b>	There is no scientifically legitimate or legally defensible reason to wait another decade to improve public health and air quality within the Class I airsheds of Yellowstone and Grand Teton National Parks. The Clean Air Act states that the National Park Service, as a federal land manager, has "an affirmative responsibility to protect air quality related values, including visibility, from the adverse effects of air pollution in areas that are designated as "Class I".
<b>SUMMARY RESPONSE:</b>	This could be a valid criticism if it were directed at a decision that has been made. In this instance, NPS developed a range of possible alternatives and alternative features intended to address management needs and public issues. The decision maker will evaluate the alternatives and their impacts, develop decision criteria, and then select an alternative that best meets the purpose and need for action.

PURPOSE AND NEED
<p><b>COMMENT:</b> Under the Clean Air Act and NPS policy, the Park Service must mitigate or eliminate impacts to air quality currently arising from snowmobile use in the park. No means currently exist to mitigate these effects. Fortunately, the means to eliminate them do exist. Four-stroke machines for oversnow access are currently used in the park in the form of snowcoaches; this mode of access must replace that of two-stroke motorized access. Snowcoaches accomplish the desired conditions the Park Service seeks in this planning process--air quality improvement, noise reduction and reduction of vehicle number.</p>
<p><b>RESPONSE:</b> Within the range of alternatives to current management in the EIS are a number of features that are intended to address air quality impacts. Some features have been shown to minimally improve air quality over time, and others to represent more of a long-term solution. Part of the long-term solution is to address limitations on the amount of use to be available for oversnow vehicles that pollute. In the interim, the FEIS will display scenarios of how current use would be distributed in each alternative, and mitigation will be applied in several alternatives that caps the use at current levels.</p>
<p><b>SUMMARY COMMENT:</b> The Park Service must adhere to executive orders 11644 and 11989 in its preferred alternative, or any alternative that allows snowmobile use. The EIS should include further explanation of the applicability of these executive orders.</p>
<p><b>SUMMARY RESPONSE:</b> The orders do not explicitly prohibit snowmobile use in the parks. The purpose of the EIS is to disclose the environmental effects of a proposed action and alternatives to it. The EIS is the vehicle by which any disclosure of impacts relating to laws, such as those listed in many comments, is made. The decision to be made will present findings as to the adverse impacts of winter uses on natural, esthetic or resource values pursuant to the executive orders cited. There is an expanded discussion of the executive orders in the purpose and need section of the FEIS.</p>
<p><b>COMMENT:</b> Alternative B-Preferred Alternative-is by far the best approach to consider because it includes an increase in accessibility along with monitoring and evaluating techniques for wildlife and resource impacts under the Executive Order 11644 and its implementing regulation (36 CFR 2.180).</p>
<p><b>RESPONSE:</b> The stated preference goes to the decision to be made. The decision maker will select from among the available alternative features according to her or his decision criteria. Consideration of these positive features is desirable.</p>
<p><b>COMMENT:</b> How does this executive order (11644) apply with the use of existing interior park roads? What significant impacts are there to this travel corridor, which is historically and significantly impacted on a daily basis nearly 365 days a year? Additionally, winter motorized use in the parks is confined to a specific travel corridor versus nonmotorized use that is dispersed. What impacts have there been from off-trail use of snowmobiles or summer vehicle travel, defined by the executive order? By plowing the road impacts may very well increase, not decrease. If one examines the statement from the executive order ("off-road vehicle use will not adversely affect natural, aesthetic, or scenic values") what is the difference of impacts on these resource by snowmobile use and that of summer vehicle use along the road corridor? Without substantiated data of impacts to the stated resource values, how can NPS select or propose alternative based on this order?</p>
<p><b>RESPONSE:</b> Presentation of the executive orders in question will be evident in Chapter I of the FEIS. The criteria articulated in the executive orders are clear. The effects disclosed in the final document, improved in some respects from the DEIS analysis, can be compared to the executive order criteria. As indicated in the DEIS, summer use is not at issue in this analysis.</p>

PURPOSE AND NEED
<p><b>COMMENT:</b> The NPS efforts to placate those opposed to snowmobiling and trail grooming by suggesting that sections of the Parks could be closed, depending on the results of scientific studies, is not acceptable. Once again the NPS, in its ongoing efforts to promote winter use, has clearly decided to continue permitting winter use activities until it can be shown that they are adversely affecting the Park, instead of requiring those who want to snowmobile in the Park to prove that their activities result in no adverse impacts to the Park and its wildlife. Furthermore, Executive Order (EO) 11644 places the burden of proof upon the National Park Service to assure that there are no adverse impacts upon natural values before any snowmobiling can be permitted.</p>
<p><b>RESPONSE:</b> There has been no decision as yet, therefore no basis for this allegation. The statement of purpose and need in the DEIS and the FEIS refute the argument, because current conditions have been identified as unacceptable, and a need for change is evident.</p>
<p><b>SUMMARY COMMENT:</b> National Park Service Regulations specify that snowmobiling can only be permitted where it will not “disturb wildlife or damage park resources.” Snowmobiling and trail grooming clearly violate these legal standards and cannot continue to be permitted in the Parks merely because of local political pressure.</p>
<p><b>SUMMARY RESPONSE:</b> Regulation and policy are clear that snowmobile use can be allowed if it is consistent with the parks’ natural, scenic and aesthetic values and will not disturb wildlife or damage park resources. The purpose of the EIS is to disclose the environmental effects of a proposed action, including snowmobile use, and alternatives to it. The decision to be made will present findings as to the adverse impacts of winter uses on natural, esthetic or resource values pursuant to regulations. Until such findings are made and supported by the EIS, it is premature to draw conclusions about snowmobile use in the three park units.</p>
<p><b>SUMMARY COMMENT:</b> We have recently received and reviewed a copy of the Park Service's Tourism Policy, Director's Order #17, in which policy 4.16 states: “It is the National Park Service policy to establish a common understanding on what is needed to ensure adequate protection of those resources for present and future enjoyment and how this can contribute to sustainable park related businesses and economies.” Upon review, it is obvious that there has been no “common understanding” established. With the selection of alternative B, as the preferred alternative, it is clear that the National Park Service is in violation of its own policy and the MOA for winter use.</p>
<p><b>SUMMARY RESPONSE:</b> First, a decision is not made until the final EIS is published and there is a subsequent record of decision. The designation of a preferred alternative in a NEPA document therefore cannot be construed as a violation of policy. The preferred alternative indicated in the FEIS is different than that in the DEIS, so this particular issue is moot. If the basis for the comment is that there is no understanding established, NPS would assert that the DEIS and the FEIS represent good faith efforts, fully compliant with NEPA, to achieve this goal. Finally, the limiting factor in the cited policy is the protection of resources; park-related businesses and economies are constrained by this factor. If it is demonstrated that park resources are damaged by such commerce, than the park service is required to act. The MOA is an instrument for producing an EIS under the CEQ regulations. It does not guarantee a decision that fully meets the needs or the approval of the cooperating agencies who signed the MOA.</p>